

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Criminal Action No.
)	11-00109-01-CR-W-DGK
COREY M. McKINNEY,)	
)	
Defendant.)	

**MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE**

Pursuant to the order of the Court en banc of the United States District Court for the Western District of Missouri, a pretrial conference was held in the above-entitled cause before me on December 27, 2012. Defendant McKinney appeared in person and with retained attorney Louis Caskey. The United States of America appeared by Assistant United States Attorney Patrick Daly.

I. BACKGROUND

On August 30, 2012, a superseding indictment was returned charging Defendant with: five counts of production of child pornography, in violation of 18 U.S.C. §§ 2251(a) and 2; one count of sex trafficking of a child, in violation of 18 U.S.C. § 1591(a); one count of tampering with a witness, in violation of 18 U.S.C. § 1512(b)(1); one count of extortion, in violation of 18 U.S.C. § 875(d); and one count of blackmail, in violation of 18 U.S.C. § 873.

The following matters were discussed and action taken during the pretrial conference:

II. TRIAL COUNSEL

Mr. Daly announced that he and Brian Casey will be the trial counsel for the government. The case agent to be seated at counsel table is Kansas City, Missouri Police Department Detective

Greg Harman; paralegal Terri Welna will also assist.

Mr. Caskey announced that he will be the trial counsel for Defendant McKinney. Stephanie Burton will assist.

III. OUTSTANDING MOTIONS

There are no pending motions in this case.

IV. TRIAL WITNESSES

Mr. Daly announced that the government intends to call ten witnesses without stipulations during the trial.

Mr. Caskey announced that Defendant McKinney intends to call no witnesses during the trial. Defendant may testify.

V. TRIAL EXHIBITS

Mr. Daly announced that the government will offer approximately 184 exhibits in evidence during the trial.

Mr. Caskey announced that Defendant McKinney will offer approximately no exhibits in evidence during the trial.

VI. DEFENSES

Mr. Caskey announced that Defendant McKinney will rely on the defense of general denial.

VII. POSSIBLE DISPOSITION

Mr. Caskey stated this case is definitely for trial.

VIII. STIPULATIONS

Stipulations are not likely.

IX. TRIAL TIME

Counsel were in agreement that this case will take three days to try.

X. EXHIBIT LIST, VOIR DIRE AND INSTRUCTIONS

The U. S. Magistrate Judge ordered:

That, in addition to the requirements of the Stipulations and Orders filed May 20, 2011, counsel for each party file and serve a list of exhibits he intends to offer in evidence at the trial of this case on the form entitled Exhibit Index and have all available exhibits premarked using the stickers provided by the Clerk of Court by December 27, 2012;

That counsel for each party file and serve requested jury voir dire examination questions by or before noon, Wednesday, January 2, 2013;

That counsel for each party file and serve, in accordance with the requirements of Local Rule 51.1, requested jury instructions¹ by or before noon, Wednesday, January 2, 2013. Counsel are requested to provide proposed jury instructions in both hard copy form, as required by Local Rule 51.1, and by e-mail to the trial judge's courtroom deputy.

XI. UNUSUAL QUESTIONS OF LAW

No motions in limine are anticipated. There are no unusual questions of law.

XII. TRIAL SETTING

All counsel and Defendant were informed that this case will be listed for trial on the joint criminal jury trial docket which commences on January 7, 2013.

¹Counsel in all cases assigned to be tried before Chief Judge Fernando Gaitan, Jr., as reflected in the trial letter, shall meet and prepare a packet of agreed proposed jury instructions to be submitted to Judge Gaitan and e-mailed to marylynn_shawver@mow.uscourts.gov and rhonda_enss@mow.uscourts.gov by January 4, 2013. To the extent there are disagreements to certain instructions, each attorney shall tab and submit his or her preference on those instructions. The instructions shall be listed in the order they are to be given.

/s/ Robert E. Larsen
ROBERT E. LARSEN
United States Magistrate Judge

Kansas City, Missouri
January 3, 2013

cc: Mr. Kevin Lyon